

**KOLESAR & LEATHAM**  
 400 South Rampart Boulevard, Suite 400  
 Las Vegas, Nevada 89145  
 Tel: (702) 362-7800 / Fax: (702) 362-9472

JANET L. CHUBB, ESQ. (NV BAR NO. 176)  
 Email: [jchubb@armstrongteasdale.com](mailto:jchubb@armstrongteasdale.com)  
 GORDON R. GOOLSBY, ESQ. (NV BAR NO. 11578)  
 Email: [ggoolsby@armstrongteasdale.com](mailto:ggoolsby@armstrongteasdale.com)  
**ARMSTRONG TEASDALE LLP**  
 50 W. Liberty Street Suite 950  
 Reno, Nevada 89501  
 Telephone: 775-322-7400  
 Facsimile: 775-322-9049

Attorneys for *Commerce Associates, LLC*

Richard F. Holley, Esq. (NV Bar No. 3077)  
 Email: [rholley@nevadafirm.com](mailto:rholley@nevadafirm.com)  
 Dean S. Bennett, Esq. (NV Bar No. 6221)  
 Email: [dbennett@nevadafirm.com](mailto:dbennett@nevadafirm.com)  
**COTTON, DRIGGS, WALCH, HOLLEY**  
**WOLOSON & THOMPSON**  
 400 South Fourth Street, Third Floor  
 Las Vegas, Nevada 89101  
 Telephone: 702-791-0308  
 Facsimile: 702-791-1912

Attorneys for *Greystone Nevada, LLC*

NILE LEATHAM, ESQ.  
 Nevada Bar No. 002838  
**KOLESAR & LEATHAM**  
 400 South Rampart Boulevard, #400  
 Las Vegas, Nevada 89145  
 Telephone: 702-362-7800  
 Facsimile: 702-362-9472  
 Email: [nleatham@klnvada.com](mailto:nleatham@klnvada.com)  
 and  
 PHILIP C. DUBLIN (NY Bar No. 2959344)  
 ABID QURESHI (NY Bar No. 2684637)  
**AKIN GUMP STRAUSS HAUSER & FELD LLP**  
 One Bryant Park  
 New York, NY 10036  
 Telephone: 212.872.1000  
 Facsimile: 212.872.1002  
 E-Mail: [pdublin@akingump.com](mailto:pdublin@akingump.com)  
[aqureshi@akingump.com](mailto:aqureshi@akingump.com)

*Counsel for Reorganized Debtors*

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

\* \* \*

In re: )  
 )  
 THE RHODES COMPANIES, LLC, aka )  
 "Rhodes Homes," et al., )  
 )  
 Reorganized Debtors. )

CASE NO. BK-09-14814-LBR  
 (Jointly Administered)  
 Chapter 11

Affects: )

☒ All Reorganized Debtors )

**STIPULATION TO VACATE HEARING  
 ON REORGANIZED DEBTORS' MOTION  
 FOR ENTRY OF AN ORDER ENFORCING  
 THE TERMS OF THE THIRD AMENDED  
 MODIFIED PLAN OF  
 REORGANIZATION PURSUANT TO  
 CHAPTER 11 OF THE BANKRUPTCY  
 CODE FOR THE RHODES COMPANIES,  
 LLC, ET AL. AND THE RELATED  
 CONFIRMATION ORDER**

Hearing Date: April 4, 2013  
 Hearing Time: 10:30 a.m.

KOLESAR & LEATHAM  
 400 South Rampart Boulevard, Suite 400  
 Las Vegas, Nevada 89145  
 Tel: (702) 362-7800 / Fax: (702) 362-9472

Commerce Associates, LLC (“Commerce”), through counsel, Armstrong Teasdale LLP; Greystone Nevada LLC (“Greystone”), through counsel Cotton, Driggs, Walch, Holley, Woloson & Thompson; and the Reorganized Debtors (“Reorganized Debtors”), through counsel, Kolesar & Leatham and Akin Gump Strauss Hauer & Feld LLP, respectfully submit this Stipulation to Vacate the Hearing on Reorganized Debtors’ Motion for Entry of an Order Enforcing the Terms of the Third Amended Modified Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code for the Rhodes Companies, LLC, et al. and the Related Confirmation Order. Commerce, Greystone and the Reorganized Debtors are collectively referred to herein as the “Parties.” The Parties stipulate and agree as follows:

WHEREAS, on November 30, 2012, Reorganized Debtors filed their Motion for Entry of an Order Enforcing the Terms of the Third Amended Modified Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code for the Rhodes Companies, LLC, et al. and the Related Confirmation Order (the “Motion”) [Dkt. 1737];

WHEREAS, on December 27, 2012, Commerce and Greystone filed their Joint Response to the Motion of the Reorganized Debtors for Entry of an Order Enforcing the Terms of the Third Amended Modified Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code for the Rhodes Companies, LLC, et al. and the Related Confirmation Order (the “Joint Response”) [Dkt. 1747]; and

WHEREAS, all matters relating to this Motion and the Joint Response have been resolved between all interested parties.

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned counsel for the Parties, that the hearing set for April 4, 2013, at 10:30 a.m. to consider the Motion and the Joint Response has been rendered moot and is hereby vacated.

///

///

///

///

///

KOLESAR & LEATHAM  
400 South Rampart Boulevard, Suite 400  
Las Vegas, Nevada 89145  
Tel: (702) 362-7800 / Fax: (702) 362-9472

1 PREPARED AND RESPECTFULLY SUBMITTED BY:

2  
3 By /s/ Abid Qureshi  
4 PHILIP C. DUBLIN, ESQ.  
New York Bar No. 2959344  
5 ABID QURESHI, ESQ.  
New York Bar No. 2684637  
6 **AKIN GUMP STRAUSS HAUER & FELD LLP**  
One Bryant Park  
New York, NY 10036  
7 and  
8 NILE LEATHAM, ESQ.  
Nevada Bar No. 002838  
9 **KOLESAR & LEATHAM**  
400 South Rampart Boulevard, Suite 400  
Las Vegas, NV 89145

10 *Counsel for the Reorganized Debtors*

11  
12 **APPROVED AS TO FORM AND CONTENT:**

13 By /s/ Janet L. Chubb  
14 JANET L. CHUBB, ESQ. (NV BAR NO. 176)  
GORDON R. GOOLSBY, ESQ. (NV BAR NO. 11578)  
15 **ARMSTRONG TEASDALE LLP**  
50 W. Liberty Street Suite 950  
Reno, Nevada 89501

16 Attorneys for *Commerce Associates, LLC*

17 **COTTON, DRIGGS, WALCH, HOLLEY,**  
18 **WOLOSON & THOMPSON**

19 By /s/ Dean S. Bennett  
20 RICHARD F. HOLLEY, ESQ. (NV Bar No. 3077)  
DEAN S. BENNETT, ESQ. (NV Bar No. 6221)  
400 South Fourth Street, Third Floor  
21 Las Vegas, Nevada 89101

22 Attorneys for *Greystone Nevada, LLC*

23  
24  
25  
26  
27 *In re: The Rhodes Companies, LLC, et al./Case No. BK-S-09-14814-LBR*  
Stipulation to Vacate Hearing on Reorganized Debtors' Motion for Entry of an Order Enforcing the Terms  
of the Third Amended Modified Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code for  
28 the Rhodes Companies, LLC, et al. and the Related Confirmation Order